



Docket No. 4577-4000US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Charles W. KLEIN & Peter D. HERGER

Group Art Unit:

Serial No.: 10/759,998

Examiner:

Filed: 1/16/2004

For: APPARATUS AND METHOD FOR SELECTIVELY TRANSMITTING  
VIBRATIONS TO AN INDIVIDUAL SITUATED ON A SUPPORT SURFACE

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

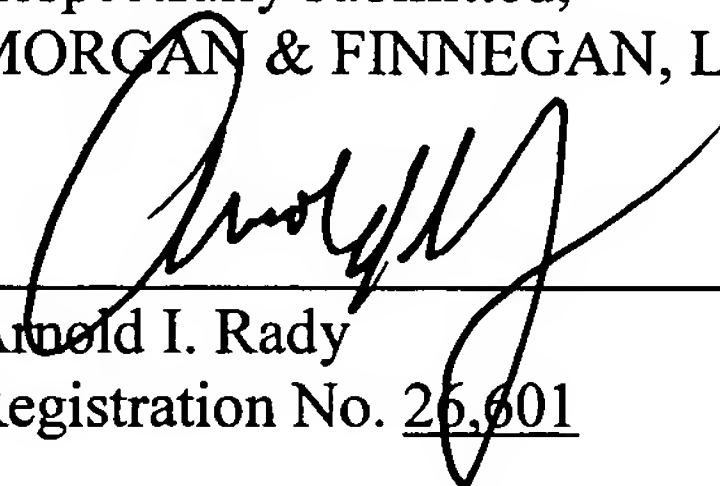
1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
  - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
  - ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
  - ☐ 37 C.F.R. §1.97(b)(4), before the mailing date of a first office action after the filing of an RCE under §1.114.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500., Order No. 4577-4000US. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: 4-16-04

By: \_\_\_\_\_

  
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04-19-04

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**EXPRESS MAIL CERTIFICATE**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label No.: EV245493898US

Date of Deposit: 4/16/2004

I hereby certify that the following attached paper(s) and/or fee

1. Information Disclosure Statement;
2. Form PTO-1449;
3. Copies of the references listed on Form PTO-1449;
4. Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

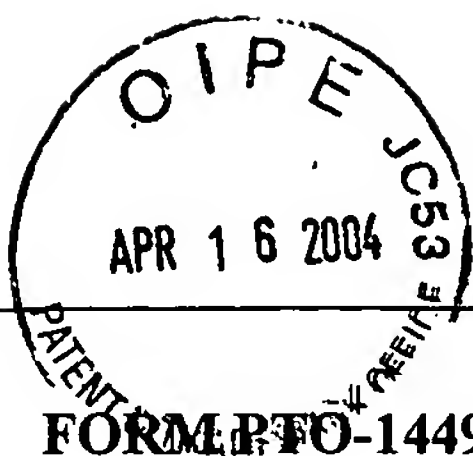
Arnold I. Rady

(Typed or printed name of person mailing papers(s) and/or fee)

  
(Signature of person mailing paper(s) and/or fee)

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<b>INFORMATION DISCLOSURE CITATION</b>	Attorney Docket: 4577-4000US	Serial No.: 10/759,998
	Applicant: Charles W. KLEIN et al	
	Filing Date: 1/16/2004	Group Art Unit:

**U.S. PATENT DOCUMENTS**

Examiner Initial		Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date
	1	952,710	03/22/10	Pesce	340	309.6	08/03/09
	2	2,460,133	01/25/49	La Pedus	368	12	02/06/46
	3	2,580,598	01/01/52	Rody	368	12	01/23/51
	4	2,923,122	02/02/60	Inman	368	12	03/07/55
	5	2,938,991	05/31/60	Sullivan et al	219	528	10/01/57
	6	3,308,491	03/14/67	Spence	5	676	12/22/65
	7	3,417,229	12/17/68	Shomphe et al	219	528	10/14/65
	8	3,585,356	06/15/71	Hall	5	422	07/27/70
	9	3,634,655	01/11/72	Jordan	219	527	03/20/70
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	11	3,968,530	07/13/76	Dyson	5	676	02/19/74

**FOREIGN PATENT DOCUMENTS**

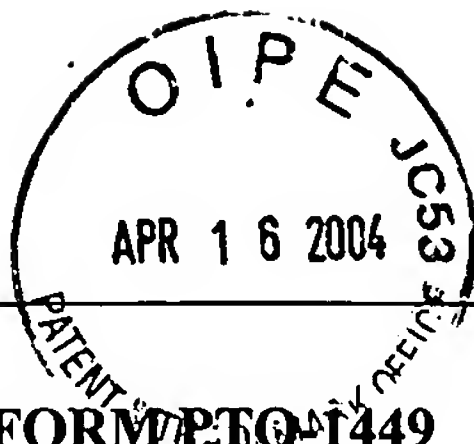
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**OTHER DOCUMENTS (Including Author, Title, Date, etc.)**

	1	Sumed International (UK) Limited advertisement, <i>Action® Bed Overlays</i> , 09/26/03.

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.  
Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.



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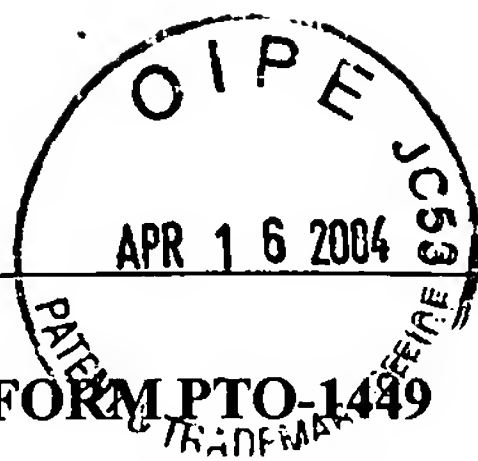
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	12	4,162,393	07/24/79	Balboni	219	217	07/18/78
	13	4,423,308	12/27/83	Callaway et al	219	217	06/22/81
	14	4,659,905	04/21/87	Gabrosek et al	219	212	09/26/85
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	17	4,783,866	11/15/88	Simmons et al	5	639	01/12/87
	18	4,788,730	12/06/88	Bexton	5	676	12/02/87
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	23	5,144,600	07/05/92	Cheng	368	12	09/01/92
	24	5,437,608	08/01/95	Cutler	601	49	10/19/92
	25	5,590,430	01/07/97	Sereboff	5	655.5	06/06/95
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	30	5,894,455	04/13/99	Sikes	368	12	03/03/97
	31	6,037,403	03/14/00	Katase et al	524	579	06/12/97
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	33	6,151,278	11/21/00	Najarian	368	12	06/03/98

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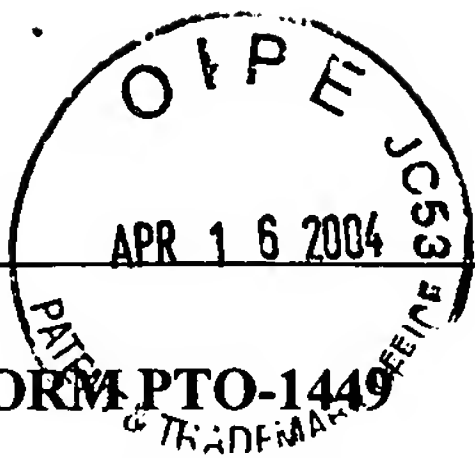
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	34	6,210,351	04/03/01	Korenaga	601	148	06/05/98
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	* 41	US2002/0091340	07/11/02	Robbins	601	46	11/13/01
	* 42	US2002/0111572	08/15/02	Waters	601	57	10/23/01
	* 43	US2003/0121104	07/03/03	Bretschger et al.	5	694	12/27/01
	* 44	US2003/0135930	07/24/03	Varese et al.	5	727	01/17/03

\* United States Patent Application: Includes Publication No. and Publication Date

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